

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**IN RE: ETHICON, INC. PELVIC  
REPAIR SYSTEM PRODUCTS  
LIABILITY LITIGATION**

**Civil Action No. 2:12-md-02327  
MDL 2327**

**THIS DOCUMENT RELATES TO:**

*Carol L. Wherry, et al. v. Ethicon, Inc., et al.*  
**2:15-cv-08119**

**PLAINTIFF’S RESPONSE TO DEFENDANTS’ MOTION FOR ORDER REGARDING  
DISPOSITION OF NON-REVISION GYNECARE TVT PRODUCT CASES**

NOW COMES the above-referenced plaintiff, by and through her attorney of record, and in response to the motion of the Defendants, Ethicon, Inc. and Johnson & Johnson (collectively, “Ethicon”) regarding the disposition of non-revision Gynecare TVT products cases (Doc No. 5313), states the following:

On March 2, 2018, Ethicon filed *Defendants’ Motion for Order Regarding Disposition of Non-Revision Gynecare TVT Products Cases* (Doc. No. 5313), which proposes a disposition of cases in which a plaintiff has not undergone a revision procedure. Attached to the motion was a list of cases that Ethicon maintains, to the best of their knowledge, are cases in which a plaintiff has a Gynecare TVT product implanted and has had no revision procedure performed.

The above-named plaintiff is included in Ethicon’s list of plaintiffs who have not undergone a revision procedure. However, plaintiff has undergone a revision procedure and is not properly included in Ethicon’s motion. Plaintiff’s counsel has informed Ethicon that the above-named plaintiff is not properly included in Defendants’ motion pertaining to non-revision cases.

Plaintiff files this response to preserve her claims and avoid dismissal to the extent that Ethicon's motion is granted.

Dated: March 16, 2018

Respectfully submitted,

KLIEM & ASSOCIATES

By: s/ Bradford R. Kvinta  
Bradford R. Kvinta  
Texas Bar No. 24068235  
5606 N. Navarro  
Suite 209  
Victoria, Texas 77904  
Tel. (361) 575-5291  
Fax (361) 575-5299  
bradford@krlawvictoria.com

**ATTORNEY FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that on March 16, 2018, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

s/ Bradford R. Kvinta  
Bradford R. Kvinta